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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	36500ZXD
First Inventor	Ronald L. Mahany
Title	Remote Radio Data Communication with Data Rate Switching
Express Mail Label No.	ET 506 311 676 US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages **163**]  
(preferred arrangement set forth below)
- Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **69**]
5. Oath or Declaration [Total Pages **12**]
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
- i. ☒ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:** Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of  
(when there is an assignee) Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure ☐ Copies of IDS  
Statement (IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent. Appendices A-C, D1-D5,
17. ☒ Other: **E-H (161 pages)**

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)of prior application No.: **09 / 934,457**

Prior application information:

Examiner

Group Art Unit:

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

Name	John H. Sherman, Legal Department				
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	550 2nd Street, S.E.				
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Country	USA	Telephone	(319)369-3661	Fax	ext. 3630

Name (Print/Type)	John H. Sherman	Registration No. (Attorney/Agent)	16,909
Signature	<i>John H. Sherman</i>	Date	Jan. 24, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

UNITED STATES PATENT & TRADEMARK OFFICE

APPLICANT: Ronald L. Mahany

TITLE: **REMOTE RADIO DATA COMMUNICATION  
SYSTEM WITH DATA RATE SWITCHING**  
(Attorney Docket No. 36500ZXD)

Assistant Commissioner for Patents  
Washington, D.C. 20231

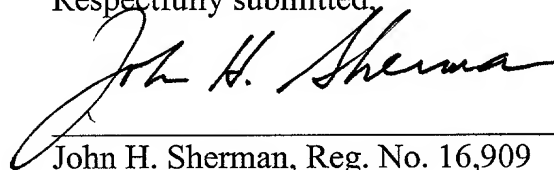
SIR:

**DELETION OF INVENTORS**  
Pursuant to 37 CFR 1.63 (d)(2)

Applicant submits herewith two signed copies of a Declaration for Patent Application from prior Application No. 07/910,865 filed July 6, 1992, one copy signed by all original inventors except Guy J. West, and the second copy including the signature of Guy J. West, so that all six original inventors have signed.

Pursuant to 37 CFR 1.63(d)(2), please delete the names of Marvin L. Sojka, Guy J. West, Gary N. Spiess, Chris F. D. Lyon, and Steven B. Schrader, as inventors for the purpose of the present application being filed herewith, so that Ronald L. Mahany remains as sole inventor.

Respectfully submitted,



John H. Sherman, Reg. No. 16,909  
Attorney of Record

Date: January 24, 2002

UNITED STATES PATENT & TRADEMARK OFFICE

APPLICANT: Ronald L. Mahany

TITLE: **REMOTE RADIO DATA COMMUNICATION  
SYSTEM WITH DATA RATE SWITCHING**  
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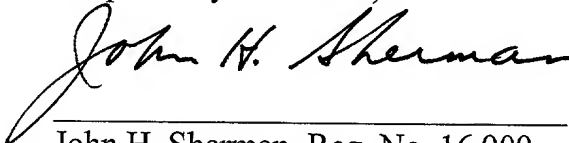
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SIR:

**APPLICATION TRANSMITTAL LETTER SUBMITTING FORM**  
**PTO/SB/05**

The present application is a consolidation of Application Nos. 09/934,457 and 09/799,340, and more specifically is in part a continuation of Application No. 09/934,457 filed 08/21/2001 and in part a continuation of Application No. 09/799,340 filed 03/05/2001, without the introduction of any further matter. Accordingly, Applicant attaches herewith a Utility Patent Application Transmittal (form PTO/SB/05) referring to the first parent case and its signed Declaration. With respect to this first parent case 09/934,457, a Deletion of Inventors is attached with its signed Declaration. A signed Declaration for the second parent case 09/799,340 is also attached.

Respectfully submitted,



John H. Sherman, Reg. No. 16,909  
Attorney of Record

Date: January 24, 2002